

### **REMARKS**

The present Amendment is in response to the Office Action mailed January 8, 2009. Claims 1-7 are cancelled, claims 9, 10, 13, 16 and 17 are amended and new claims 19-25 are added. Claims 8-25 remain pending in view of the above amendments. Applicant notes that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. Applicant also notes that the remarks presented herein have been made merely to clarify the claimed embodiments from elements purported by the Examiner to be taught by the cited reference. Such remarks, or a lack of remarks, are not intended to constitute, and should not be construed as, an acquiescence, on the part of the Applicant: as to the purported teachings or prior art status of the cited references; as to the characterization of the cited references advanced by the Examiner; or as to any other assertions, allegations or characterizations made by the Examiner at any time in this case. Applicant reserves the right to challenge the purported teaching and prior art status of the cited references at any appropriate time. Applicant also reverses the right to pursue the subject matter of the cancelled claims without prejudice and does not admit the characterization and interpretations of the cited art advanced in the Office Action. Reconsideration of the application is respectfully requested in view of the above amendments to the claims and the following remarks.

### **Rejection Under 35 U.S.C. §§ 102, 103**

The Office Action rejected claims 7 and 9 under 35 U.S.C. § 102(b) as being anticipated by U.S. Publication No. 2003/0110803 (*Saito*). The Office Action rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over *Saito* in view of U.S. Publication No. 2003/0109202 (*Matsuno*).

With appreciation, it is noted that claims 8 and 11-18 are allowed. Certain claims have been amended such that claims 9-10 and 12-25 ultimately depend from one of the independent claims 8 and 11. Because claims 8 and 11 have been allowed, claims 9-

10 and 12-25 are allowable and the rejections under §§ 102 and 103 are therefore moot.

Please note that support for new claims 19 and 25 may be found in page 17, line 8-12 of the specification. Support for new claim 20 may be found in page 4, lines 31-34 and page 23, lines 6-11 of the specification. Support for new claim 21 may be found in page 22, lines 13-17 of the specification. Support for new claim 22 may be found in page 11, lines 10-11 and 20-21 of the specification. Support for new claims 23 and 24 may be found in page 19, lines 2-7 of the specification.

### **Allowed Subject Matter**

Applicants submit the following comments concerning the Examiner's statements of reasons for the indication of allowable subject matter in the Office Action. Applicant agrees with the Examiner that the claimed invention is patentable over the prior art and submits that it is the claim as a whole, rather than any particular limitation, that makes each of the claims allowable. No single limitation should be construed as the reason for allowance of a claim because it is each of the elements of the claim that makes it allowable.

## **CONCLUSION**

In view of the foregoing, Applicants believe the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated April 2, 2009.

Respectfully submitted,

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